IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1709 OF 2005
IN
SUIT NO.1308 OF 2004

Smt Margaret Augustine Narleli Kuria.. Plaintiff

vs

Smt.Anie Nicholas Pariera ... Defendants

Mr.Suresh Gole for Plaintiff in supp of N.M

None for Defendants

CORAM : SMT. ROSHAN DALVI JJ.
DATE: 30th June, 2006

P.C.

1. The plaintiff claims title to the entire of the suit property. The plaintiff has been asked to trace the title. She traces her title to her grand father who is stated to have, by an entry in an application made in the Tahsildar's record transferred the suit property in the name of the plaintiff's mother one Pauline.

2. The plaintiff has a brother. Nevertheless

the property which is stated to be so transferred to the plaintiff's mother appears in the revenue records only in the name of the plaintiff.

3. The plaintiff, at best, has half share in the property. The other half share belongs to her brother. In the suit, the plaintiff has claimed the entire share. Such a claim is incorrect. No interim relief can be granted to the plaintiff.

4. Notice of Motion is dismissed.

(Smt Roshan Dalvi, J)